

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 69922

Michael Papavasilis  
Maria Papavasilis  
5520 Overlook Circle  
White Marsh, MD 21162

7933 Eastdale Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 10, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-401, 402, 403, failure to cut overgrown grass and weeds and to maintain to a height of 3 inches or less; section 13-7-309, 310, failure to store all waste in approved tightly covered containers; section 13-7-305, 306, 307, failure to maintain premises rat-free and to eliminate rat harborages on residential property known as 7933 Eastdale Road, 21224.

On October 21, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Robert Moorefield issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,200.00 (one thousand two hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. Photographs in the file show large rat holes on Respondents' investment property. The property owners have not responded to the County's notices and there is no evidence that Respondents have taken appropriate action, as required by County law, to exterminate rats or to close the rat burrows.

B. Respondents must treat the infestation until it is abated. County Code Section 13-7-305. Respondents must remove or abate all rat harborage. County Code Section 13-7-306. Periodic inspections should continue until the rat infestation is fully abated, holes and burrows are closed, and all rat harborage is removed.

C. Under County law, Respondents have 5 days to comply with a County notice for rat eradication and has 15 days to comply with a notice for elimination of rat harborage or for rat-proofing. This Citation was issued on October 21, 2009, with no prior Correction Notice. This Citation will therefore not be enforced for these code violations. However, having received written notice from the County, Respondents are now subject to Citation with possible civil penalty if the violations have not been corrected.

D. The Citation also charges Respondents with failure to store waste in waterproof cans with tight lids. County Code Section 13-7-309, 310. Under adopted criteria, the Department can issue an immediate citation for this violation. Photographs in the file taken October 19, 2009 show an open garbage can overflowing with bagged garbage. Photographs taken November 9, 2009 show a garbage can full of garbage with no lid, and debris from broken furniture in the rear yard and alley. This violates prohibitions against the accumulation of junk, trash and debris on residential property, requirements for proper storage of garbage, and prohibitions against creation of possible harborage for rats.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected, with all garbage properly stored in cans with tight fitting lids and all junk and debris removed, by December 10, 2009.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 23<sup>rd</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer